

**ASSEMBLY BILL**

**No. 1322**

**Introduced by Assembly Member Shirley Horton**

February 21, 2003

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An act to add Section 21080.06 to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1322, as introduced, Shirley Horton. Environmental quality: exception.

The existing California Environmental Quality Act (CEQA) generally requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also generally requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment, if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA provides for various exemptions from the requirements of the act.

This bill would provide an exemption from CEQA's requirements for a project that is consistent with a properly granted zoning variance from a general plan of a local agency for which an environmental impact report was certified.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 21080.06 is added to the Public  
2     Resources Code, to read:  
3     21080.06. This division does not apply to a project that is  
4     consistent with a properly granted zoning variance from a general  
5     plan of a local agency for which an environmental impact report  
6     was certified.

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